

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TATYANA LYSYY, et al.,

Plaintiffs,

v.

DEUTSCHE BANK NATIONAL
TRUST COMPANY, et al.,

Defendants.

CASE NO. C24-0062JLR

ORDER

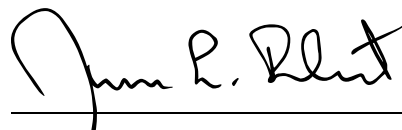
Before the court is Defendants' motion for leave to file an overlength reply brief in support of their motion for summary judgment. (Mot. (Dkt. # 46); *see* MSJ (Dkt. # 14).¹) Defendants assert that Plaintiffs have raised arguments and requests for relief in their opposition to Defendants' motion for summary judgment that they originally raised in their now-withdrawn motion for partial summary judgment. (Mot. at 2-3 (citing MSJ

¹ The court has not considered Plaintiffs' opposition to Defendants' motion. (*See* Resp. (Dkt. # 47)); *see* Local Rules W.D. Wash. LCR 7(f)(3) ("No opposition to the motion shall be filed unless requested by the court.").

1 Resp. (Dkt. # 45)); *see also* PMSJ (Dkt. # 2-1); PMSJ Withdrawal (Dkt. # 39).)
2 Defendants complain that, as a result, they “cannot fully and adequately address”
3 Plaintiffs’ arguments and requests within the 4,200-word limit provided by Local Civil
4 Rule 7(e)(3). (*See* Mot. at 2-3); *see* Local Rules W.D. Wash. LCR 7(e)(3). Therefore,
5 Defendants ask the court to consider their 8,331-word opposition to Plaintiffs’ withdrawn
6 motion for partial summary judgment as part of their reply in support of their motion for
7 summary judgment. (Mot. at 2; *see* PMSJ Resp. (Dkt. # 21).)

8 Under this court’s Local Civil Rules, “[i]n all cases, the reply brief shall not
9 exceed one-half the total length of the brief filed in opposition.” Local Rules W.D.
10 Wash. LCR 7(f)(4). Accordingly, the court DENIES Defendants’ motion to file an
11 overlength reply brief (Dkt. # 46) and will not consider their previously-filed opposition
12 brief as part of Defendants’ reply. Defendants shall timely file a reply in support of their
13 motion for summary judgment that complies with the word-count limit set in Local Civil
14 Rule 7(e)(3). The court notes, however, that to the extent Plaintiffs raise requests for
15 affirmative relief in their opposition brief that are not responsive to the arguments in
16 Defendants’ motion for summary judgment, such requests are improper and the court will
17 not consider them. *See* Fed. R. Civ. P. 7(b)(1) (“A request for a court order must be
18 made by motion.”).

19 Dated this 6th day of March, 2024.

20 

21 JAMES L. ROBART
22 United States District Judge